

To: Shenkman, Ethan[Shenkman.Ethan@epa.gov]; Guadagno, Tony[Guadagno.Tony@epa.gov];
Feldman, Richard[Feldman.Richard@epa.gov]; Mitchell, Stacey[Mitchell.Stacey@epa.gov]
From: Siciliano, CarolAnn
Sent: Fri 8/14/2015 10:37:25 AM
Subject: RE: We are getting questions about this claim -- "Region 8 website" reference

Thanks, Ethan. I will send this to OITA.

Attorney Work Product/Ex. 5

Carol Ann Siciliano

Associate General Counsel

Cross-Cutting Issues Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-5489

siciliano.carolann@epa.gov

From: Shenkman, Ethan

Sent: Thursday, August 13, 2015 8:40 PM
To: Guadagno, Tony; Siciliano, CarolAnn
Subject: Fwd: We are getting questions about this claim

Feel free to forward to OITA

Sent from my iPhone

Begin forwarded message:

From: "Mitchell, Stacey" <Mitchell.Stacey@epa.gov>
Date: August 13, 2015 at 6:14:46 PM EDT
To: "Michaud, John" <Michaud.John@epa.gov>, "Feldman, Richard" <Feldman.Richard@epa.gov>, "Garbow, Avi" <Garbow.Avi@epa.gov>, "Shenkman, Ethan" <Shenkman.Ethan@epa.gov>
Subject: FW: We are getting questions about this claim

FYI.

Stacey H. Mitchell

Deputy General Counsel| Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-7614

From: Purchia, Liz
Sent: Thursday, August 13, 2015 4:30 PM
To: Mitchell, Stacey; Distefano, Nichole
Subject: RE: We are getting questions about this claim

This is approved by EOC. I'm going to share with media.

Deliberative Process/Ex. 5

“Standard Form 95 is **not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim.** Please note that a completed form must state a claim for money damages in a “sum certain” amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property.”

From: Mitchell, Stacey
Sent: Thursday, August 13, 2015 3:23 PM
To: Distefano, Nichole; Purchia, Liz
Subject: RE: We are getting questions about this claim

** Begin Response **

Deliberative Process/Ex. 5

"Standard Form 95 is **not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim.** Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property."

Stacey H. Mitchell

Deputy General Counsel| Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-7614

From: Distefano, Nichole

Sent: Thursday, August 13, 2015 3:15 PM

To: Purchia, Liz; Mitchell, Stacey

Subject: We are getting questions about this claim

“The U.S. Environmental Protection Agency is offering immediate reimbursements for damages from the Gold King Mine water contamination in exchange for waiving rights for future claims.”

<http://www.navajo-nnsn.gov/News%20Releases/OPVP/2015/aug/Operation%20To'%20Litso.pdf>

How are we responding?

Nichole Distefano

Deputy Associate Administrator

Office of Congressional and Intergovernmental Relations

Environmental Protection Agency

(202) 564-5200

Distefano.Nichole@epa.gov